

REMARKS

This communication responds to the Office Action mailed on February 25, 2008. Claims 1, 8, 15-17, 19, 24 and 28 are amended, claim 13 is canceled, and no claims are added. As a result, claims 1, 3-6, 8, 10-11, 15-17, 19-22 and 24-30 are now pending in this application.

§103 Rejection of the Claims

Claims 1, 8 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Roberts (U.S. 2006/0166619, hereinafter “Roberts”) in view of Backes (U.S. 2005/0090250, hereinafter “Backes”). Claims 3 and 4 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Roberts and Backes in view of Van De Berg (U.S. 5,907,812, hereinafter “Van De Berg”). Claims 5, 6, 10, 16, 17, 21, 25 and 30 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Roberts and Backes in view of Kong et al. (U.S. 2004/0192208 A1, hereinafter “Kong”). Claims 13, 19, 20, 22, 24, 26 and 27 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Roberts and Backes in view of Saunders et al. (U.S. 2004/0142696 A1, hereinafter “Saunders”). Claims 28 and 29 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Roberts, Backes and Saunders et al. and further in view of Banker et al. (U.S. 5,485,221 A1, hereinafter “Banker”). The Applicant does not admit that these references are prior art, and reserves the right to swear behind these references in the future. In addition, because the Office has not properly established a *prima facie* case of obviousness in each instance, the Applicant respectfully traverses these rejections of the claims.

The Applicant has rewritten claim 15 in independent form including all of the limitations of the base claim and any intervening claims into it, which was indicated by the Office to be allowable, and thus believes that amended claim 15 is allowable.

The Applicant has also amended independent claims 19, 24 and 28 by incorporating the limitation feature “a number of channels in the first group is equal to an absolute value of the signed extension channel offset plus one” as recited in claim 15, and

thus believes that these amended independent claims 19, 24 and 28 as well as their dependent claims are also allowable, because now they have identical or similar features to rewritten independent claim 15, which was indicated by the Office to be allowable.

The Applicant has also amended independent claims 1 and 8 to include limitation features similar to amended claim 15, which was indicated by the Office to be allowable, and thus believes that amended independent claims 1 and 8 as well as their dependent claims are also allowable.

Accordingly, the Applicant respectfully requests the allowance of claims 1, 3-6, 8, 10-11, 15-17, 19-22 and 24-30.

Allowable Subject Matter

Claim 15 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As previously stated, the Applicant has rewritten claim 15 in independent form including all of the limitations of the base claim 13 into it, which was indicated by the Office to be allowable, and thus believes that amended claim 15 is allowable.

The Applicant has also amended independent claims 19, 24 and 28 by incorporating the limitation feature “a number of channels in the first group is equal to an absolute value of the signed extension channel offset plus one” as recited in claim 15, and thus believes that these amended independent claims 19, 24 and 28 as well as their dependent claims are also allowable, because now they have identical or similar features to rewritten independent claim 15, which was indicated by the Office to be allowable.

The Applicant has also amended independent claims 1 and 8 to include limitation features similar to amended claim 15, which was indicated by the Office to be allowable, and thus believes that amended independent claims 1 and 8 as well as their dependent claims are also allowable.

Accordingly, the Applicant respectfully requests the allowance of claims 1, 3-6, 8, 10-11, 15-17, 19-22 and 24-30.

Reservation of Rights

In the interest of clarity and brevity, the Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. The Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. The Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, the Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. The Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

The Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone the Applicant's attorney at (210) 308-5677 to facilitate prosecution of this Application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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